

**ENGINEERING DIRECTIVES AND STANDARDS**

Volume : II                      Effective Date :  
Chapter : 2                      Revision Date : 01/01/1977  
Section : 1                      Subject : **REPLACEMENT OF FENCING ON CONSTRUCTION PROJECTS**  
Directive : 3

1. **SCOPE.** This directive covers the details of the policy of the Department of Transportation and Development, Office of Highways, on the replacement of existing fences for construction projects.
2. **POLICY.** It shall be the policy of the DOTD, Office of Highways, to rebuild, reconstruct or otherwise replace fencing and to enclose all remaining property previously enclosed when constructing or reconstructing a highway.

When a right-of-way acquisition entails the breaking of a livestock fence enclosure which is of such quality as to actually enclose livestock, rebuilt fence or new fence is to be included in the contract for construction on the owner's property to restore the enclosure. This policy shall prevail regardless of the right-of-way acquisition by negotiation or by expropriation. The property owner will be paid only for that portion of cross fencing which is removed and not replaced due to the reduction in size of the remaining property caused by the Department's right-of-way acquisition.

Fencing installed by a State or Parish agency for the purpose of restraining livestock from highways is to be rebuilt or otherwise replaced on highway right-of-way. In no instance will the property owner adjacent to the highway right-of-way be paid the value of such fence even though the fence may have been originally constructed on his property. The fences placed in accordance with this paragraph will not be maintained by the Office of Highways.

Fencing other than livestock fence shall be rebuilt or otherwise replaced unless the right-of-way is acquired by negotiations and the property owner requests payment for the value thereof, or the right-of-way is acquired by expropriation in which instance the value thereof is deposited in the registry of the court. In either of such instances the existing fence will be removed by the Office of Highways' contractor.

All fences constructed on controlled access highways for the purpose of controlling access will be built and maintained by the Office of Highways. Fences built along frontage roads or cross roads on controlled access facilities for the benefit of the property owner will be built off the highway right-of-way and will be maintained by the property owner.

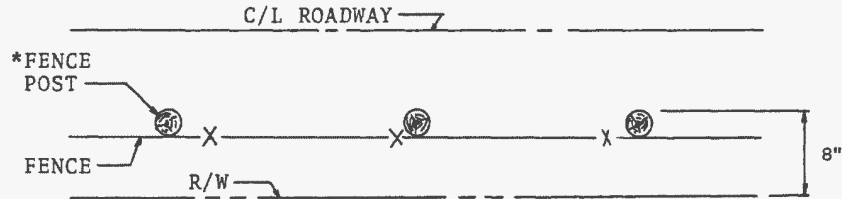
No fence will be allowed to be placed on highway rights-of-way by any public agency except by duly executed permit issued by the Office of Highways in accordance with DOTD, Office of Highways' policies. When such permits are issued, the fence shall be placed in the location or locations as shown in Exhibit A, Page 3, of this directive and shall be maintained by the permit holder. Any fence improperly located will be required to be corrected prior to acceptance of the work by the Office of Highways. Any fence placed on highway right-of-way without permit will be considered as an encroachment and shall be removed under the procedures given in EDSM 111.1.1.13.

Exceptions to this policy must be approved by the Chief Engineer of the Office of Highways.

**OTHER ISSUANCES AFFECTED.** This directive supersedes Louisiana Department of Highways Director's Policy and Procedure Memorandum No. 3. All directives, memoranda or instructions issued heretofore in conflict with this directive are hereby rescinded.

**EFFECTIVE DATE.** This policy will become effective on January 1, 1977.

DEMPSEY D. WHITE  
DOTD CHIEF ENGINEER



Detail showing location of fence in relation to the R/W line when the fence is to be located on the Highway Right-of-Way.

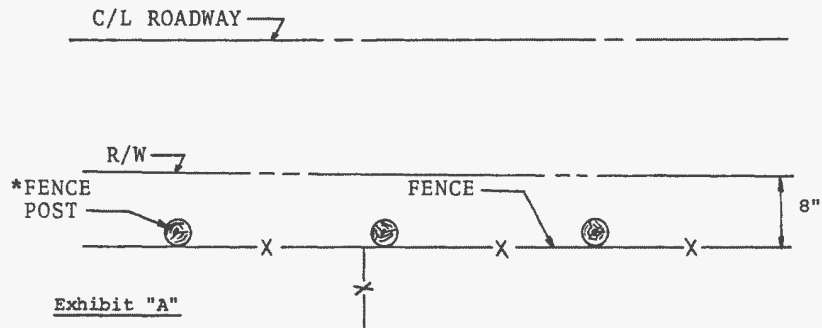


Exhibit "A"

Detail showing location of fence in relation to the R/W line when the fence is to be located off the highway right-of-way. Wire to be placed as shown unless otherwise directed by the Engineer or requested by the property owner and approved by the Engineer.

\* Post to be wood or steel as per Std. Plan R-F-16 Rev.